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Statement submitted by African Women’s Development & Communication Network (FEMNET) and Association for Women’s Rights in Development, non-governmental organizations in consultative status with the Economic and Social Council*

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

* The present statement is issued without formal editing.



Statement

Twenty-six years of review of the Beijing Platform for Action have not been enough to ensure governments around the world guarantee access to public services, including social protection, to all women and girls. Contrary to longstanding demands from civil society, economic -and thus social- policies globally continue to be guided primarily by corporate interests in detriment of human rights and gender justice.

In this submission, the Association for Women's Rights in Development wishes to highlight its deep concern for the ongoing privatization and corporate capture of social protection in particular and social policy in general, that is undermining human rights at an unprecedented scale.

Privatization of Public Services

Neoliberal economic policies promoted around the globe by a growing majority of governments with the support and pressure of international financial institutions (including through conditional loans), have intensified the commodification of life through privatization of basic public services and natural resources.

Privatization creates an immediate financial barrier to accessing essential healthcare services in the global South and North. For women living in poverty, lesbian, bisexual, trans, queer or intersex persons, people living with HIV and AIDS, people using drugs, sex workers, people of colour, migrant workers, people of specific ethnicity and/or religion and other oppressed peoples, rising private health care costs are prohibitive leading to a violation of their sexual and reproductive rights and right to health.

Women end up shouldering the rollback of public healthcare services, as people delay treatment or stay at home to be cared for primarily by women and girls. Women end up working longer hours overall in paid work, unpaid work and domestic work, violating their rights to leisure, right to health, and to participate in political processes and organizing.

Similarly, in the education sector, the increasing rate of privatization disregards the fundamental principle of equality of opportunity in education. As was duly noted by the United Nations Special Rapporteur on the Right to Education, girls from low-income backgrounds are less likely to attend schools than boys if education is privatized because of deeply entrenched gender norms.

As a result of violations of the rights to health and education, women heads of households — and particularly those in low-income sectors — often end up in deep indebtedness as they resort to private loans at high interest rates to cover privatised health or education expenses, which in turn renders them more financially vulnerable.

In every corner where water has been privatized, women and girls in impoverished households are forced to travel longer distances to find free sources of water. The high cost of water and electricity not only make household chores more difficult but can compromise women's economic activity if they are home based workers or smallholder farmers. Health risks associated with poor quality water tend to increase women's unpaid care burden as they shoulder the care of the sick and elderly when private care facilities are impossible to afford.

In addition, the effects of privatization of public services impacts women's labour force in disproportionate ways. Women are overrepresented in the lowest tier of public sector workers, such as teachers, nurses and healthcare workers and are thus likely to absorb more precarious working arrangements including lower wages, longer working hours and fewer social security benefits, if any.

Public Private Partnership contracts are usually negotiated in secret and do not go through the rigour of public participation to test if they are cost efficient and accountable. We caution against the use -and abuse- of public-private partnerships as a silver-bullet for public services financing, as there is scant regard for accountability mechanisms to uphold human rights standards, including environmental and social safeguards. The prioritisation of Public Private Partnership projects is structurally guided by profit-driven considerations rather than actual social needs. Many a time, public services and goods that mostly have an impact on women and girls (such as maternal care) are the least profitable and as a result, priority is put on mega infrastructure projects like tolled mega highways.

The ability to mobilize and organize to demand decent work and labour rights is also affected by privatization of public services as workers in similar jobs face difficulties to unionize due to different contract arrangements in the private and public sectors.

Access to Social Protection

Social protection is a human right and a key to achieve Sustainable Development Goals, yet, according to a report from the International Labour Organization in 2017, the majority of the world's population (55 per cent) is not yet covered under any type of social protection scheme, and only less than 30 per cent enjoy comprehensive coverage.

Women are particularly disadvantaged, experiencing lower coverage rates and substantially lower benefits because of prevailing inequality, discrimination and exploitation of their labour, both paid and unpaid. In fact, most of the world's social protection systems penalise women, as they are disproportionately represented in the informal sector jobs, spend the bulk of their time doing unpaid care work, suffer from different forms of violence, lack access to and control over resources, suffer from occupational segregation, and earn less than men for work of equal value. As a result, women are often excluded from contribution-based schemes and left completely unprotected in the absence of universal social protection floors. The outcome is only more poverty, more inequality, and more gender injustice.

Structural Causes

Privatisation of basic services and lack of universal social security coverage must be seen within a larger context of increasing dominance of the corporate sector and international financial institutions, such as the International Monetary Fund, on local and global public policy.

For instance, fiscal space for extending social protection systems is effectively undermined by the International Monetary Fund's push for short sighted austerity policies, and social protection schemes targeting only 'the extreme poor', thus leaving other marginalised groups without adequate coverage. As the United Nations Special Rapporteur on extreme poverty and human rights duly noted in his report released June 2018, there is increasing evidence that the approach to targeting often fails to reach the poorest, and that benefits often end up being given to those who are relatively well-off.

Austerity policies undermine efforts to achieve universal social protection — as spelled out in the International Labour Organization's Recommendation 202 and Sustainable Development Goal 1.3. According to the International Trade Union Confederation, just 0.3 per cent of the global Gross Domestic Product would be enough to provide social protection floors for the entire world population, while currently some 10 per cent of the world's Gross Domestic Product is held in tax havens.

State's obligations to mobilize the maximum available resources to fulfil human rights -including the right to social protection, and access to basic public services for all- demands a structural transformation of the global financial architecture well beyond aid. Special attention must be paid to illicit financial flows that continue to drain public reserves particularly in developing countries and translate into fewer national resources available to improve access to key areas such as education, healthcare, or social protection with a disproportionate gender impact.

Funding for public services and social protection through national tax revenue is becoming increasingly difficult in a context marked by extreme tax competition to attract corporate and foreign direct investment. This is having a negative impact on government budgets needed to fund key areas such as health, education, public jobs, or care services.

We demand a gender and tax justice approach to fiscal policies be put in place by governments if the Beijing Platform is to be achieved. Challenging the lack of regulation of the growing financial economy that allows big companies and rich individuals to pay minimal or no tax where they operate is essential to addressing social inequality and human rights. Tax revenue must be collected in a fair manner and distributed in an equitable way.

Accountability and Justice

The capture of social public policies by corporate power and its profit-driven logics, call into question the State's role as the primary duty bearer to respect, protect and fulfil women's human rights and uphold its social contract with citizens. Lack of accountability of corporate actors for human rights abuses — including land-grabbing, forced displacement, environmental pollution and contribution to the aggravation of climate change- often in collaboration with states, is creating massive social insecurity with gender-specific effects.

This goes hand in hand with a shrinking of democratic political space -often with violent backlash towards women human rights defenders who challenge economic models that maintain and deepen inequalities- and under-resourcing of social justice movements, including feminist, lesbian, bisexual, trans, queer or intersex movements.

For indigenous and peasant women human rights defenders, as well as women labour rights defenders, physical, sexual and verbal abuse and harassment are used by the state and transnational corporations to silence narratives that challenge dominant economic development policies. We ask governments to protect women human rights defenders - particularly those who demand social protection and quality public services- from all sorts of violence perpetrated by corporations, states and/or militarised groups, or all of them combined.

We urge governments, particularly from the North where transnational corporations are often headquartered, to take bold steps towards ensuring corporate accountability and justice for human rights violations beyond voluntary principles. In this regard, we denounce the deliberate obstructions and/or lack of constructive engagement by some governments, primarily but not exclusively from the Global North, to the process within the Human Rights Council to create a legally binding instrument to regulate the activities of transnational corporations and other business enterprises in international human rights law.

Conclusion

Human right instruments and mechanisms, like the Beijing platform for Action, should be the basis for challenging the current narrow focus on efficiency and growth that has only taken us to the dismantling of social protection floors.

The time for change is now: States must uphold their human rights obligations to ensure public, affordable and good quality services through tax justice and public funding. Policies must be informed by the increasing body of evidence against privatization and corporate capture of social policy at the national and global levels. States must ensure accountability and justice and hold corporate actors and international financial institutions responsible for human rights abuses. It is essential to stop the imposition of austerity policies while refusing to regulate financial markets that privilege the wealthy and deprive developing countries of needed resources to fund public services. The world cannot afford twenty more years for governments to live up to their promises, we demand change now. We demand a feminist reality.